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FIRST NAMED INVENTOR ATTORNEY DOCKET NO. APPLICATION NO. FILING DATE CONFIRMATION NO. 10/007,367 10/22/2001 Daniel J. Hoffman 4097 P01 1261 **EXAMINER** 32588 06/15/2004 APPLIED MATERIALS, INC. PASCHALL, MARK H 2881 SCOTT BLVD. M/S 2061 ART UNIT PAPER NUMBER SANTA CLARA, CA 95050 3742

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/007,367	HOFFMAN ET AL.
	Examiner	Art Unit
	Mark H Paschall	3742
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply		
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).		
Status		
1) Responsive to communication(s) filed on <u>3</u> .		
2a) This action is FINAL. 2b) ☐ This	, 	
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is		
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.		
Disposition of Claims		
 4) Claim(s) 1-30 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-6,8,9,13,15,17-23 and 25-27 is/are rejected. 7) Claim(s) 7,10-12,14,16 and 28-30 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. 		
Application Papers		
9) The specification is objected to by the Examiner.		
10)⊠ The drawing(s) filed on 10-01 is/are: a)⊠ accepted or b)☐ objected to by the Examiner.		
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).		
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.		
Priority under 35 U.S.C. § 119		
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 		
Attachment(s)		
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>all</u>. 	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal Pa	(PTO-413) te atent Application (PTO-152)

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-6,15,22,23 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Masuda et al. Note that Masuda teaches ecr, use of Merie magnetic rotating field –see column 30, electrode forming a portion of the chamber, and plasma particle (ion and electron) density control, as claimed. Note that the reactance of the overhead electrode does form a resonance frequency that is near the generator frequency, barring further description of the same.

As per claim 2 see column 41 paragraph 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any

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inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 8,9,13,14,17-19,25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda et al.

These claims call for materials such as anodized aluminum and silicon containing materials for the electrode coatings, capacitive levels in the insulating materials for protection, and window features in the electrode. The choice of these features is an obvious one for the artisan and would be based on the intended use of the reactor, i.e. what materials area being processed and what gases and power levels are being used. These features a commonly found in plasma reactor systems which are conventional.

Allowable Subject Matter

Claims 7,10-12,14,16,28-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

These claims call fo9r use of metal foam, specific fixed impedance matching circuitry, and electrode grounding structure. The prior art of record does not teach these features.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark H Paschall whose telephone number is 703 308-1642. The examiner can normally be reached on 7am - 3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 703 308-2634. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark H Paschall Primary Examiner Art Unit 3742

Mp